

Appl. No. 09/896,238

**Response to Final Office Action Mailed July 2, 2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	09/896,238	}	3 January 2011
Applicant	:	Guerry L. Grune		
Filed	:	03/16/2006		
TC/A.U.	:	2617	}	For: Simultaneous Intellectual Property Search and Valuation System and Methodology
Examiner	:	Mizrahi, Diane D.		
Docket No.	:			
Commissioner for Patents	:			
Mail Stop: Amendment	:		}	
P.O. Box 1450	:			
Alexandria VA 22313-1450	:			

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/Guerry Grune/

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**RESPONSE TO DETAILED ACTION**

Applicant acknowledges the detailed action that Examiner Mizrahi has taken in this matter and has responded within the required time limit of 6 months to ensure further prosecution of this matter.

Applicant wishes to state, for the record, that Examiner's SPE, Nick Cosaro, has also been involved in this case and was assisting with structuring the claims properly so that a second NOA (Notice of Allowance) could be issued. Examiner was very anxious to file a response to this matter as the case is old and Applicant has tried to work with the SPE, Nick Corsaro, and Examiner to reach a successful conclusion on this matter but was not been able to meet all of the Examiner's demands regarding the timing for a return of another set of claims which led to this final rejection. Applicant regrets the action the Examiner took to try to resolve this matter and this has caused yet another delay in the prosecution.

The instant Office Action without extension was set at three months, or October 2, 2010. Applicants hereby request a three month extension of time under 37 CFR § 1.136 to extend the deadline for response to January, 3, 2011 (as January 2, 2011 was a Sunday). Payment of the \$555.00 small entity fee specified in 37 CFR § 1.17(a) is being made by online credit card authorization at the time of EFS filing of this Response. Please amend the claims of the above-identified patent application as set out in Section I (Amendments to the Claims) hereof. Remarks concerning the amendments to the claims and the substance of the July 2, 2010 Office Action are set out in Section II (Remarks) hereof.

Additionally, an RCE (Request for Continued Examination) has been filed to ensure that the case will not go abandoned and that the Applicant will receive proper review of this case.

Claims 12-22 were pending in the application. Claims 12-22 are now canceled as are Claims 1-11. Newly presented claims 23-33 are provided herewithin.

Applicant acknowledges examiner's findings above.

Examiner withdraws the objection to the drawings, objection to the claims which recite the limitation, "wherein"; objection to the specification and rejection under 35 USC 101 for system claims 12 and 19. **This office action is based on Applicant's newly submitted amendment of July 31, 2009.**

Applicant thanks Examiner for allowing the drawings as supplied in the July 31, 2009 response and is now addressing the new claims rejections set forth below. Applicant wishes to meet with the Examiner and her SPE, Nick Corsaro, to reach a successful conclusion to this, now going on 10 year old prosecution. The software tools developed and claimed in the original application are now reaching fruition and commercial success of the claimed invention is being realized. The prosecution history regarding this case is highly non-exemplary and needs to be corrected and completed in a short time frame. Applicant again requests an in person conference with the Examiner and her SPE, Nick Corsaro in a timely manner and at a time and date which is mutually possible. Applicant has made this request on several occasions since July 31, 2009. Instead, Applicant received phone calls without any advance notice regarding this application

and repeatedly was requested to drop other obligations to meet the Examiner's schedule(s). Applicant tried but could not always accommodate.

### ***Claims Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 12 and 21-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Examiner is unclear as to what is Applicant's claimed, "model mapping".

Examiner is unclear as to what is meant by the following claimed limitations: "meaningful manner" (Claims 12 and 21-22);

All claims should be reviewed for this limitation and should be corrected. Further clarification and explanation is required.

Examiner does not understand what Applicant intends these limitations to mean, thereby rendering the Application difficult to further examine.

Applicant has provided a further set of amended claims (claims 12 and 21-22) and removed any ambiguous language including the terms "meaningful manner".

As to the term "model mapping" applicant has fully described and shown the meaning of this term, which is also known to one skilled in the art of mapping concepts including intellectual property. The word model is taken from computer modeling and refers to collaborative knowledge modeling and the transfer of expert knowledge as defined in wikipedia ([http://en.wikipedia.org/wiki/Concept\\_map](http://en.wikipedia.org/wiki/Concept_map)) as in the original specification.

If the Examiner would prefer the word "map" or "concept map" that is understood, however the Examiner has repeatedly not understood the invention as described by the Applicant and Applicant respectfully requests Examiner to learn about concept mapping prior to any further

requests to change claim language to meet her needs to understand what those skilled in the art already understand - during further prosecution of this application.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 20-22 are rejected under 35 U.S.C. 101 because the claimed invention is directed non-statutory subject matter.

Computer software is not a process, a machine, a manufacture or a composition of matter. Accordingly, Claims 20-22 fails to recite statutory subject matter, as defined in 35 U.S.C. 101. Claims 20-22 "method claims" are directed toward non-statutory subject matter.

Applicant acknowledges this rejection and has discussed this matter with both the Examiner and her SPE and has amended the claims accordingly to avoid any 35 USC 101 issues regarding the need for apparatus to implement the claimed invention.

***Claim Rejections - 35 USC 103***

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Applicant acknowledges the joint inventorship issue and has stated previously he does not understand the Examiner's reasoning as the claims are commonly owned by the inventors listed. Any presumption by the Examiner that this is not the case has no basis in fact and Applicant has made that clear on several occasions.

Claims 12, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable Rivette et al., US Patent No. 6499026 B1 and Rivette hereinafter) and Kevin W. Boyack et al. (Paper entitled, "Analysis of Patent Databases Using VxInsight", March 29, 2001, published by Sandia National Laboratories and referred as Boyack hereinafter) in view of Kenneth E. Edgcombe et al. (US Patent No. 6,345,234 B1 and Edgcombe hereinafter).

Regarding Claim 12, Rivette discloses a computer system for enabling a simultaneous (i.e. simultaneously) (Rivette, Col 26, line 6) and (i.e. enables the computer control logic to execute programs to perform functions) (Rivette, Col 16, lines 5-13) combination of techniques including intelligent searching for problem solving with (i.e. intelligent agents) (Rivette, Col 24, line 41) *(Examiner notes that an intelligent agent is used for intelligent actors which observe and act upon an environment, in the sense of a rational agent, an entity that is capable of perception, action and goal directed behavior. Such an agent might be a robot or an embedded real time software system - and is intelligent if it interacts with its environment in a manner that would normally be regarded as intelligent if that interaction were carried out by a human being. Also, an intelligent agent might be wholly autonomous, carrying out its own agenda, and acting as an agent for no one.)*, and valuation of intellectual property (i.e. patent's value) (Rivette, Col 11, line 66) , while regarding said intellectual property in a meaningful manner with a user interface device (Figure 9, item 902, item 906)(Figure 4, item 420) (i.e. document identification of patents such as document number, title, application type, figures) (Figure 12H, item 1222), said computer system (Figure 40, item 57, computer) comprising;

at least one server computer (i.e. enterprise server) (Figure 3, item 314); one or more client computers connected to said server computer via a global area network (Figure 3, whole figure) and one or more computer programs (i.e. computer program products having software that enables the computer to perform)(Col 16, lines 2-4) executed by one or more server computers (Figure 3, item 314) wherein said computer program further comprises computer instructions for (i.e. computer program products having software that enables the computer to perform)(Col 16, lines 2-4)

storing, retrieving, and searching for information (i.e. database such as inventor, mapping, bibliographic, corporate, entity and the like) (Rivette, Col 9, lines 37-67 and Col 10, lines 11-22) (Examiner notes that a database is a structured collection of records or data that is stored in a computer system. In order to retrieve and access information from this storage one must query the database to find and retrieve the information)

regarding said intellectual property (i.e. patents or patent database) (Figure 6, item 614) corresponding to a technology sector within a technology exchange (i.e. reads on patents which contain numerous and various different individual and corporate technologies) ((Figure 6, item 621) in and from a database, storing, retrieving, and searching (i.e. database such as inventor, mapping, bibliographic, corporate, entity and the like) (Rivette, Col 9, lines 37-67 and Col 10, lines 11-22) (Examiner notes that a database is a structured collection of records or data that is stored in a computer system. In order to retrieve and access information from this storage one must query the database to find and retrieve the information)

problem solving solutions related to said intellectual property (i.e. intelligent agents) (Rivette, Col 24, line 41) *(Examiner notes that an intelligent agent is used for intelligent actors which observe and act upon an environment, in the sense of a rational agent, an entity that is capable of perception, action and goal directed behavior. Such an agent might be a robot or an embedded real time software system - and is intelligent if it interacts with its environment in a manner that would normally be regarded as intelligent if that interaction were carried out by a*

*human being. Also, an intelligent agent might be wholly autonomous, carrying out its own agenda, and acting as an agent for no one.*), in and from a database, storing, retrieving, and searching (i.e. database such as inventor, mapping, bibliographic, corporate, entity and the like) (Rivette, Col 9, lines 37- 67 and Col 10, lines 11-22) (Examiner notes that a database is a structured collection of records or data that is stored in a computer system. In order to retrieve and access information from this storage one must query the database to find and retrieve the information)

scientific and engineering publications (i.e. databases such as inventors or corporate entities which contain research and development such as different technologies) (Rivette, Col 14, lines 39-44) (Rivette, Col 17, lines 61-65) or (non-patent information) (Rivette, Col 14, line 9-13) related to said intellectual property (i.e. patent information) (Rivette, Col 14, lines 39-40) in and from a database (i.e. patent database) (Rivette, Figure 6, item 614);

allowing for searching, retrieving, and storing into and from said database or databases information regarding (i.e. databases such as inventors or corporate entities which contain research and development) (Rivette, Col 14, lines 39-44) (Rivette, Col 17, lines 61-65) or (non-patent information) (Rivette, Col 14, line 9-13) said intellectual property (i.e. patent information) (Rivette, Col 14, lines 39-40)

within said technology exchange (i.e. see below technologies such as pharmaceutical, or generating compounds, chemical, bioactive, robotically generated and the like)( Rivette, Figure 40, whole Figure) said problem solving (i.e. intelligent agents) (Rivette, Col 24, line 41) *(Examiner notes that an intelligent agent is used for intelligent actors which observe and act upon an environment, in the sense of a rational agent, an entity that is capable of perception, action and goal directed behavior. Such an agent might be a robot or an embedded real time software system - and is intelligent if it interacts with its environment in a manner that would normally be regarded as intelligent if that interaction were carried out by a human being. Also, an intelligent agent might be wholly autonomous, carrying out its own agenda, and acting as an agent for no one.)*

database (i.e. databases such as inventors or corporate entities which contain research and development) (Rivette, Col 14, lines 39-44) (Rivette, Col 17, lines 61-65) or (non-patent information) (Rivette, Col 14, line 9-13), and said science and engineering database (i.e. patent information database) (Rivette, Figure 6, item 614) (Rivette, Col 14, lines 39-40), and valuing said intellectual property (i.e. patent's value) (Rivette, Col 11, line 66) according to one or more search criteria specified by a user (i.e. inventor databases, and corporate entity databases, the financial databases, the person databases, and the employee databases. Such information includes R&D (research and development) information, financial information, licensing information, manufacturing information, HR (human resources) information, and any other information that may be pertinent to the analysis of the customer's patents and other relevant documents. (Rivette, Col 17, lines 62-67 to Col 18, lines 1-2) (Examiner notes that with all these databases, a user can search such criteria according to finances, corporate, inventor, research and development or the like).

Rivette does not expressly teach mapping.

Boyack teaches mapping (i.e. map of specific intellectual property) (Section 4. Application to Patent Data) and (Figure 1, "Landscape of patent class 360) and (i.e. analysis and mapping of patent data) (Introduction).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Rivette with the teachings of Boyack to include mapping with the motivation to allow for powerful and flexible tools for exploring data collections, by providing access to the data in an intuitive visual format, and easy to interpret. By presenting data as a landscape, this allows for very large data sets to be represented in a memorable way. (Boyack et al., Introduction).

*In regards to the newly added limitation, "topographical" amendment of July 31, 2009*

Rivette and Boyack does not expressly teach topographical. Edgcombe teaches topographical (i.e. multi-dimensional topology ... within a space (Col 4, lines 49-51) see also (i.e. maps analyzed to determine peaks and valleys ... ) (Col 5, lines 35-37); see also (i.e. a topographical approach to the representation and analysis ... density maps implemented or ORCRIT) (Col 9, lines 52-54) see also Figures 1 and 2, *infra*:

In response to the foregoing rejections and statements by the Examiner, specifically:

*(Examiner notes that an intelligent agent is used for intelligent actors which observe and act upon an environment, in the sense of a rational agent, an entity that is capable of perception, action and goal directed behavior. Such an agent might be a robot or an embedded real time software system - and is intelligent if it interacts with its environment in a manner that would normally be regarded as intelligent if that interaction were carried out by a human being. Also, an intelligent agent might be wholly autonomous, carrying out its own agenda, and acting as an agent for no one.),*

Applicant has read this statement and, as in the past, is completely confused by the Examiner's logic. Intelligent agents are defined in the prior art cited by Applicant and by those skilled in the art. In addition, applicant respectfully disagrees with the Examiner's further statements below:

Regarding Claim 19, Rivette does not expressly model mapping includes topographical features optionally including colors, numbers, or symbols representing intellectual property value and direction of increasing and decreasing value of said intellectual property. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Rivette and Boyack with the teachings of Edgcombe to include topographical with the motivation to allow for determining the multi-dimensional topology of a volume to form a set of relative density values ... for a given location within a volume ... and to identify critical points [Edgcombe, (Col 2, lines 54-65)] and to interpret images with the ability to locate and identify meaningful features [Edgcombe, (Col 6, lines 51-52)].

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Rivette with the teachings of Boyack to include model mapping includes topographical features optionally including colors, numbers, or symbols representing intellectual property value and direction of increasing and decreasing value of said intellectual property with the motivation to allow for powerful and flexible tools for exploring data collections, by providing access to the data in an intuitive visual format, and easy to interpret. By presenting data as a landscape, this allows for very large data sets to be represented in a memorable way. (Boyack et al., Introduction).

Boyack teaches model mapping includes topographical features (i.e. landscape maps such as contour maps like display in which color represents density) (Boyack, 2.3 Visualization Tools) optionally including colors, numbers, or symbols representing intellectual property value and direction of increasing and decreasing value (i.e. contours of highs and lows representing patent class significance by technology companies such Sony, shown in yellow or Seagate shown in red) (Figure 1) of said intellectual property (i.e. patent class 360) (Figure 1) see also (Figure 5 for landscape map of all patents issued in January 2000 where the map shows technologies such as networks, vehicle control, film, and the like).

Boyack neither teaches, describes, nor motivates one to use landscape maps such as contour maps that will display IP value including colors, numbers or symbols. The present invention was the first time that such an idea was suggested or described and written in any known manner. Describing patents by technology company (assignee) or by technology sector with mapping may have been known, but combining this methodology with valuing and mapping the IP valuation was absolutely unknown and forms a basis for this application. Valuing IP, specifically patents, in a meaningful and comprehensive manner and storing this information in a relational database so that as values of the IP shift, the contour maps and associated colors, numbers or symbols shift in a corresponding manner, was never contemplated by Rivette or Boyack. Clearly Edgcombe only enabled the use of topographical mapping used by both Rivette and Boyack, never envisioning the use of such mapping for classifying IP.

Regarding Claim 20, the rejection of claims 12 and 19 respectively, are fully incorporated and are similarly rejected along the same rationale. In addition, Rivette teaches for enabling optional simultaneous and instantaneous real-time or optional simultaneous or optional instantaneous real-time review of data (i.e. corporations do not conduct such patent searches. One significant reason for this is the difficulty in identifying relevant patents, and the difficulty in analyzing patents. Computerized search tools are becoming available to the public, such as web sites on the Internet that can be used to conduct patent searches) (Rivette, Col 1, lines 56-62) (Examiner notes that the Internet is a series of interconnected computer networks that transmit data. The Internet is a "network of networks" that consists of millions of smaller domestic, academic, business, and government networks, which together carry various information and services, such as electronic mail, online chat or file transfer, and the interlinked web pages and other resources



of the World Wide Web (WWW). A user views web pages that may contain text, images, videos, and other multimedia and navigates between them using hyperlinks. The Internet provides for optional instantaneous real-time viewing of data.) patent shoe (i.e. patents in shoes) (Rivette, Col 125, line 65). by means of an audio or visual or audiovisual display, in a meaningful manner, at least (i.e. document databases 612 may be text, images, graphics, audio, video, multimedia and/or any other information representation that can be stored in electronic form.) (Rivette, Col 20, lines 18-21) a list of patents (i.e. patent database 614 includes electronic representation of U.S. and foreign patents of interest to the customer) (Rivette, Col 18, lines 22-28) causing, pursuant to a command to view or hear a next file (i.e. images, graphics, audio, video, multimedia and/or any other information representation) (Rivette, Col 20, lines 18-21), audible or visual display of image (Rivette, Col 20, lines 18-21) or text data or both image (Rivette, Figure 40) causing, pursuant to a command to view a previous file (i.e. Figure 41 is a new view of a previous file) allowing a user to scroll back and forth with no limitations and to provide reports capture any desired portion of said visual displays (i.e. user view patents in the document pane by horizontal scroll and sideways scroll in the document pane) (Rivette, Col 114, lines 30-40).

Again, applicant states that Rivette neither teaches, describes, or motivates one using landscape maps such as contour maps that will display IP value including colors, numbers or symbols. The present invention was the first time that such an idea was suggested or described in any known manner. Describing patents by technology company (assignee) or by technology sector may have been known, but combining this with valuing and mapping the IP valuation was absolutely unknown and forms much of the basis for this application. Valuing IP, specifically patents, in a meaningful and comprehensive manner and storing this information in a relational database so that as values of the IP shift, the contour maps and associated colors, numbers or symbols shift in a corresponding manner, was never contemplated by Rivette or Boyack. Clearly Edgcombe only enabled the use of topographical mapping used by both Rivette and Boyack.

Regarding Claims 13-18 and 21-22, these claims are rejected respectively, are fully incorporated and are similarly rejected along the same rationale as the claims above.

Again, applicant states that Boyack neither teaches, describes, or motivates one using landscape maps such as contour maps that will display IP value including colors, numbers or symbols. The present invention was the first time that such an idea was suggested or described in any known manner. Describing patents by technology company (assignee) or by technology sector may have been known, but combining this with valuing and mapping the IP valuation was absolutely unknown and forms much of the basis for this application. Valuing IP, specifically patents, in a

meaningful and comprehensive manner and storing this information in a relational database so that as values of the IP shift, the contour maps and associated colors, numbers or symbols shift in a corresponding manner, was never contemplated by Rivette or Boyack. Clearly Edgecombe only enabled the use of topographical mapping used by both Rivette and Boyack.

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Applicant further states that this citing from the MPEP is not appropriate or specific to the specification or claims as originally presented or later amended. The applicant is one skilled in the art and there is no suggestion of success or motivation that combining the teachings of Rivette with Boyack and Edgecombe to provide a search tool that also values the intellectual property in any technology space and provides information on the shifting of these values using a contour map with colors, numbers, or symbols. Adding the word "topological" to the claims (as detailed below) was the Examiner's suggestion, not that of the applicant. Now the Examiner has decided to use this terminology in the amended claims supplied on July 31, 2009 as support for this most recent rejection. Applicant has changed the description to "contour mapping", as that term is well known in the art but wishes the Examiner to understand that the use of contour mapping in connection with representing a relational database that illustrates shifting IP values with time, was never described by any known or cited reference.

Furthermore, the Examiner has cited the 6,345,235 patent to Edgecombe which, according to the Examiner's 35 USC 101 rejection above, should not have been allowed as it merely recites method claims and instructions for carrying out the invention without specific use of apparatus to carry out those instructions. At the time of filing, applicant wishes to point out that thousands of patents with method claims such as those presented by Edgecombe, et. al. were allowed by the office.

Nonetheless, applicant has supplied a fully amended set of claims which, again applicant requests a conference time and date be set with the Examiner and her SPE so that appropriate action may be taken.

### **Arguments/Remarks:**

Applicant's arguments/remarks filed July 31, 2009, have been fully considered but they are not persuasive. If examiner has not noted any other objections under remarks, it is because some previous objections and rejections have been withdrawn, supra.

Applicant argued:

- a) The rejection of claims 12-22 under 35 U.S.C. 112 regarding "model mapping".
- b) The rejection of claims 20-22 under 35 USC 101 regarding "electronic patent shoe or user interface device".
- c) The rejection of claims 12 and 19 under 35 USC 101 regarding "system".
- d) The rejection under 35 USC 103 that neither Rivette in view of Boyack neither teaches "topographical mapping and valuing of IP in a technology".

With regards to a) Examiner appreciates the interpretation description given by Applicant in response. Applicant has amended modeling mapping to topographical mapping. Examiner has made the rejection of topographical mapping under 35 USC 103, supra. Therefore, this point is moot based on the rejection supra.

Again, Applicant wishes to state for the record that the word insertion of "topographical" was at the Examiner's suggestion. The newly presented amended set of claims addresses this issue.

With regards to b) The rejection of claims 20-22 under 35 USC 101 regarding "electronic patent shoe or user interface device". Applicant discloses II electronic patent shoe or user interface device ". Examiner has reviewed Applicant's specification, but Applicant did not explain or define these terms in the original specification. Therefore, Examiner believes these limitations to be software. The rejection under 35 USC 101 stands at this time.

Applicant does understand nor agree with the Examiner's lack of understanding of the term "electronic patent shoe " as those skilled in the art understand the term as used and those at the USPTO also have utilized the term. The term "patent shoe" is well know and the term "electronic patent shoe" refers to an electronic version of a patent shoe which is how patent file histories (aka shoes) are currently stored and displayed.

With regards to c) The rejection of claims 12 and 19 under 35 USC 101 regarding "system". Examiner has withdrawn the rejection of "system". Therefore this point is moot.

Applicant acknowledges the Examiner's withdrawal regarding the use of the word "system".

With regards to d) The rejection under 35 USC 103 that neither Rivette in view of Boyack neither teaches "topographical mapping and valuing of IP in a technology". Applicant has amended claims 12, 19 and 20 from modeling mapping to topographical mapping which

Examiner has rejected with Edgcombe et al, Rivette and Boyack. Edgcombe discusses multi-dimensional topology of a system in space for a wide range of data relating to crystallography, fluid dynamics, financial market determine the topology of structures contained therein. (See Edgcombe, Abstract). Therefore, Examiner believes that Applicant's topographical mapping and valuing of IP in a technology is clearly taught in combination with Rivette. Boyack and Edgcombe's for reasons stated supra under the rejection 35 USC 103.

Applicant respectfully disagrees with the Examiner's understanding of the invention as described in the specification and claims (which have now been fully amended).

Again, applicant states that neither Rivette, Boyack nor Edgcombe nor the combination of the three references held together or separately teaches, describes, motivates, or even suggests one to use landscape maps such as contour maps that will display IP values including colors, numbers or symbols. The present invention was the first time that such an idea was suggested or described in any known manner. Describing patents by technology company (assignee) or by technology sector may have been known, but combining this with valuing and mapping the IP valuation was absolutely unknown and forms much of the basis for this application. Valuing IP, specifically patents, in a meaningful and comprehensive manner and storing this information in a relational database so that as values of the IP shift, the contour maps and associated colors, numbers or symbols shift in a corresponding manner, was never contemplated by Rivette or Boyack. Clearly Edgcombe only enabled the use of topographical mapping used by both Rivette and Boyack.

Nonetheless, applicant has again presented a fully amended set of claims which applicant requests be reviewed in a meeting directly and in person with the Examiner and her SPE in order to properly accelerate this prosecution.

Applicant submits that the application is now in condition for allowance, and early notification of such action is earnestly solicited.

Please deduct any shortages of fees from the USPTO account for Customer #29439.

Dated this 3<sup>rd</sup> day of January 2011  
Respectfully Submitted,

By: /Guerry L. Grune/

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